

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Aggressive Insurance,	)	
	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 07-1039-TP-CSS
	)	
AT&T Ohio,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) On September 19, 2007, the complainant, Aggressive Insurance, filed a complaint in this case against the respondent, AT&T Ohio (AT&T). The complaint alleges that the complainant's service was disconnected for nonpayment on September 14, 2007, but that it never received a disconnection notice on the past due amount of \$284.97. The complainant further alleges that on July 20, 2007, it paid a deposit of \$380.00 and on that same date made a payment of \$276.95 through an electronic funds transfer (EFT). It further alleges making two additional EFT payments, for \$228.55 on August 20, 2007 and for \$513.64 on September 14, 2007. The complainant is seeking to be reimbursed for the deposit it paid in July, on grounds that it never received a disconnection notice.
- (2) On October 9, 2007, the respondent, through counsel, filed an answer to the complaint. Among other things, AT&T admits that the complainant is its customer. AT&T claims that a disconnection notice was sent to Aggressive Insurance based on AT&T's standard practices and procedures. Further, AT&T admits that the complainant paid a deposit on July 20, 2007, and made the additional payments in August and September as alleged in the complaint. AT&T admits that it has denied reimbursing the complainant's deposit, in accordance with AT&T's policy to keep a deposit until the customer has a perfect payment history for 12 straight months.

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In its answer, AT&T denies any other allegations of the complaint not expressly admitted, avers that it has breached no legal duty owing the complainant, claims that its service and practices at all relevant times have been in accordance with all applicable law and accepted industry standards and, finally, says that the complaint fails to state reasonable grounds for proceeding to a hearing as required by Section 4905.26, Revised Code.

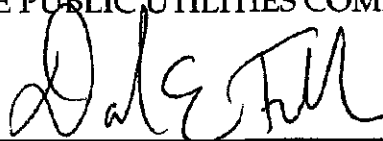
- (3) This case should be set for a prehearing settlement conference on June 18, 2008, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> Floor, Hearing Room 11-B, Columbus, Ohio 43215-3793. The purpose of the settlement conference is to determine whether this matter can be resolved informally.

It is, therefore,

ORDERED, That a prehearing settlement conference be held in accordance with Finding (3). It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Daniel E. Fullin  
Attorney Examiner

JEJ  
geb

Entered in the Journal

**MAY 22 2008**



Renee J. Jenkins  
Secretary